

**Memorandum of Understanding**

**NORTHWEST TERRITORIES – NUNAVUT**

**AGREEMENT – LEGISLATION AND REGULATION OF  
NORTHERN EMPLOYEE BENEFITS SERVICES PENSION PLAN**

**Between:**

**THE GOVERNMENT OF THE NORTHWEST TERRITORIES**, as represented by the Minister of Finance (hereinafter referred to as the 'GNWT'),

and

**THE GOVERNMENT OF NUNAVUT**, as represented by the Minister of Community and Government Services (hereinafter referred to as the 'GN'),

collectively, the 'Parties'.

**Whereas** the Northern Employee Benefits Services (NEBS) pension plan is considered to be a public sector multi-employer pension plan that currently operates within both the Northwest Territories and Nunavut without the benefit of enabling or supervising legislation; and

**Whereas** the NEBS Board of Directors has previously requested that both the GNWT and the GN provide NEBS with legislative and regulatory certainty; and

**Whereas** the GNWT and the GN have agreed to consider a coordinated approach to developing legislation to regulate the NEBS pension plan within their respective territories.

**Now Therefore** the GNWT and the GN agree as follows:

**Purpose**

This Agreement is intended to express the commitments of the Parties to develop legislation for introduction in their respective Legislative Assemblies that is designed to legislate and regulate the NEBS pension plan within both territories.

**Principles**

The following principles have been agreed to by both governments in the spirit of working collaboratively towards a common goal:

- Legislative and regulatory certainty is required for the NEBS pension plan and its members;
- Supporting the goals of healthy communities and self-reliance, both for communities and individuals, is a priority for both governments.

**Work Plan**

1. A work plan is established (Appendix A) and agreed to by both Parties that outlines the objectives, activities, responsibilities, outcomes and estimated timelines to guide the development of legislation to be enacted by both Parties.

**Consultation**

2. The GNWT and the GN agree that together they will consult with the NEBS Board of Directors concerning NEBS legislation. This consultation commitment will be fulfilled through the development of a working group consisting of representatives from the GNWT, the GN and NEBS.

**Financial Matters**

3. The parties agree to equally share the cost of any external legal advice required to assist with the research and development of the multi-jurisdictional agreement, legislative proposal and draft legislation referenced in the work plan identified above, such legal advice to be subject to prior approval by both parties.

**Effect of the Agreement**

4. This Agreement is not legally binding, but is an expression and record of the purpose and intent of the Parties, to which each honourably pledge themselves.
5. Nothing in this Agreement shall be construed so as to affect the jurisdictional responsibility of either Party.

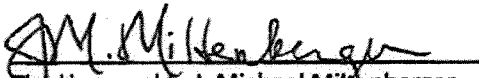
**Amendments**

6. This Agreement, and the work plan referenced in Appendix A, may be reviewed and amended based on mutual agreement by both Parties.

**Memorandum of Understanding**

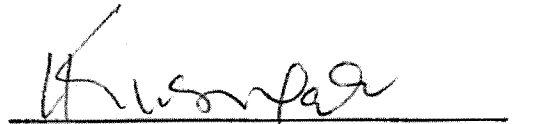
This Agreement is signed on behalf of the respective Parties as follows:

For the **Government of the Northwest Territories**

  
The Honourable J. Michael Miltenberger  
Minister of Finance

12/18/3  
Date

For the **Government of Nunavut**

  
The Honourable Lorne Kusugak  
Minister of Community and Government Services

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Date

# GOVERNMENTS OF NUNAVUT AND THE NORTHWEST TERRITORIES

## WORK PLAN – NORTHERN EMPLOYEE BENEFITS SERVICES PENSION PLAN

<b>GOAL:</b> Establish legislation to regulate the Northern Employee Benefits Services (NEBS) pension plan in Nunavut and the NWT.			<b>PROJECT NAME:</b> NEBS Pension Plan Legislation	
			<b>PRIORITY TIME FRAME:</b> 2012-14	
OBJECTIVE	ACTIVITIES	RESPONSIBILITY	OUTPUT	TIMELINES
Establish Joint Work Plan	Establish work plan with activities and projected timelines.  Work plan to be attached as an Appendix to MOU.	GNWT and GN	Approved work plan	Approved by July 31, 2012
Develop Intergovernmental Memorandum of Understanding	Establish an MOU outlining the intent of both Governments to establish NEBS pension legislation.  MOU approved by each Government's respective Cabinet.  MOU shared with NEBS.	GNWT lead	Approved MOU	Approved in the Fall of 2012

<p><b>Legislative Proposal for NEBS pension plan</b></p>	<p>Obtain advice from legal counsel as required.</p> <p>Draft Legislative Proposal and agree to contents with both Governments.</p> <p>Consult with NEBS on legislative proposal.</p> <p>Finalize legislative proposal.</p> <p>Complete drafting instructions for legislation division(s).</p>	<p>GNWT and GN</p>	<p>Legislative Proposal entered into both Governments legislative process</p>	<p>LP drafted by November 1, 2012</p> <p>LP agreed to by all parties by December 31, 2012</p> <p>LP entered into both Governments Legislative Process by March 31, 2013</p>
<p><b>Formation of legislation working group</b></p>	<p>Work with Legislation Division(s) to draft a NEBS pension plan bill.</p> <p>Review and advance draft bills as developed.</p>	<p>GNWT, GN, NEBS</p>	<p>Draft Legislation</p>	<p>NEBS bill drafted by the Fall of 2013</p>
<p><b>NEBS pension plan bill</b></p>	<p>Final NEBS pension legislation bill agreed to by both Governments and NEBS.</p>	<p>GNWT and GN</p>	<p>NEBS pension legislation passed by both Governments</p>	<p>GNWT pass legislation during the 2013-14 fiscal year</p> <p>GN pass legislation during the 2013-13 fiscal year</p>

<b>Multi-jurisdictional Agreement established</b>	<b>Research completed on the type of agreement to be entered into.</b>  <b>GN and GNWT agree on the form, terms and conditions of the agreement.</b>  <b>Agreement drafted.</b>	<b>GNWT lead</b>	<b>Signed Multi-jurisdictional agreement</b>	<b>Agreement in place in the Fall of 2013</b>
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